

precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,
Austin, Texas, February 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 584, A bill to be entitled "An Act validating all orders, judgments and proceedings of the county court at law for Eastland county, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,
Austin, Texas, February 16, 1929.
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 580, A bill to be entitled "An Act to amend Chapter 14, Local and Special Laws enacted by the Thirty-fifth Legislature at its Third Called Session in 1917, as amended by Chapter 65, Local and Special Laws enacted by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Trinity county, Texas, by adding thereto a new section, 33a, authorizing the commissioners court of Trinity county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,
Austin, Texas, February 16, 1929.
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 68, A bill to be entitled "An Act to regulate searches and seizures,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,

Austin, Texas, February 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 596, A bill to be entitled "An Act providing for a civil service commission in certain counties for certain offices, and providing for competitive examinations, and providing for a board of appeals, designating the members of the commission, and providing for a secretary and fixing their salaries and the manner of payment thereof, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,
Austin, Texas, February 15, 1929.
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 562, A bill to be entitled "An Act creating a more efficient road system for Jeff Davis county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

CHANGE IN CONFERENCE COMMITTEE ANNOUNCED.

The Speaker announced the following change in the conference committee for Senate bill No. 49:

Messrs. Purl and Wallace are appointed to take the place of Messrs. Duvall and Rogers.

TWENTY-NINTH DAY.

(Continued.)

(Tuesday, February 19, 1929.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Barron.

HOUSE BILL NO. 296 ON SECOND READING.

On motion of Mr. Shaver, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 296, A bill to be entitled

"An Act relating to the State Board of Education; providing for the appointment of the members of said board; prescribing their qualification, terms of service, and duties; authorizing them to appoint a State Superintendent of Public Instruction and upon his recommendation and nomination to set up a State Department of Education and appoint its staff; and, in general, authorizing said Board to assume and discharge the duties assigned by law to the State Board of Education and the State Superintendent of Public Instruction; repealing all laws in conflict with this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Shaver offered the following (committee) amendment to the bill:

Committee Amendment No. 1.

Amend House bill No. 296 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. There is hereby created the State Board of Education. Said Board shall consist of nine members to be appointed by the Governor, with the advice and consent of the Senate. Of the first Board to be appointed the terms of three members shall expire on January 1, 1931; the terms of the next three members shall expire on January 1, 1933; and the terms of the remaining three members shall expire on January 1, 1935. After the first Board, the term of each member shall be for six years from the date of the respective appointments, and the appointments shall be made and the terms arranged in such manner that three of said members shall retire on the first day of January biennially, and the Governor shall biennially, on the first of January, fill such vacancies by the appointment of three members. No member of said Board shall be a resident of any county in which is located any one of the State-supported colleges, the State University, or other State-supported institutions of higher learning. Each member of said Board shall be a citizen thirty years of age and otherwise qualified to vote; and no member shall at the time of his appointment, or during the term of his service, be engaged as a professional educator.

"Sec. 2. The State Board of Education shall organize by the election of one of its members as president and by the election of the State Superin-

tendent of Public Instruction as secretary, as hereinafter provided.

"Sec. 3. The State Board of Education shall meet once in every three months at the Capitol in Austin, and at such other times as may be designated by the president, or it may meet upon call of any three members of the Board. Questions necessary for the decision of the Board shall be determined by a majority vote of the members of the Board present, and for the transaction of all business six shall constitute a quorum. Said Board of Education shall adopt rules necessary for the government of its proceedings.

"Sec. 4. It is made the duty of the State Board of Education, created by this act, to immediately take over and discharge all duties imposed by present laws upon the Board of Education in existence at the time this act takes effect. In addition thereto, it shall perform such other duties as may from time to time be prescribed by the Legislature. In addition to the duties now required by law of the Board of Education, existing prior to the taking effect of this act, the State Board of Education hereby created shall perform the following duties:

"(a) It shall fairly consider the financial needs of the public free school system of this State and biennially, in advance of each session of the Legislature, prepare a report and present the same to the Governor to be transmitted to the Legislature upon convening.

"(b) It shall fairly consider the financial needs of the State institutions of higher learning and make recommendations concerning same biennially. It shall submit these recommendations to the State Board of Control, which shall embody them in its budget, together with the original requests of the several institutions of higher learning, and its own recommendations, and transmit the same to the Governor and the Legislature.

"(c) It shall make formal recommendations to the Governor, and through the Governor to the Legislature, concerning all proposals for the establishment of new educational institutions.

"(d) It shall make a careful study of the general scope and purport of the work of all the State institutions of higher learning, with special reference to the needs of the State institutions of higher learning and to existing legislation establishing these institutions, and with the special design of elimination of any needless or wasteful

duplication of work. It shall so familiarize itself with our general educational scheme as it affects higher education that it would be able to direct legislative attention to any needless duplication in our institutions of higher learning and present a means of correlating and co-ordinating the several activities and purposes of our colleges and State University and other institutions of higher learning.

"(e) The State Text Book Commission shall no longer meet or function after the taking effect of this act, and the duties heretofore devolving by law upon the State Text Book Commission shall be performed by the State Board of Education, created by this act, and the State Board of Education hereby created shall for the purpose of disposing of text book matters meet at times and places that the State Text Book Commission is required to meet and act under existing law.

"Sec. 5. The present Superintendent of Public Instruction, during the term for which he has been elected and is now serving, shall act as secretary of the State Board of Education. Prior to the expiration of the present term of the incumbent of the office of State Superintendent of Public Instruction, the State Board of Education shall elect a State Superintendent of Public Instruction as his successor. The person so selected shall possess such qualifications and serve for such time as said Board may determine, and at such compensation as the Legislature may fix. The Superintendent of Public Instruction when elected by said Board shall succeed the present Superintendent of Public Instruction upon the expiration of his present term. The State Superintendent of Public Instruction to be elected by the said State Board of Education shall serve as secretary and executive officer of the State Board of Education; and, in addition thereto, shall under the direction of the State Board of Education perform the duties now prescribed by law to be performed by the State Superintendent of Public Instruction. The State Board of Education shall organize the State Department of Education and its various divisions, and upon the recommendation and nomination of the Superintendent of Public Instruction, it shall appoint and fix the compensation of the employees of said Department, subject to the appropriations made by the State Legislature.

"Sec. 6. Nothing in this act shall be

construed to lessen the powers now held by the existing governing bodies of our State Teachers Colleges, the College of Industrial Arts, the University of Texas, the Technological College, and other State institutions of higher learning.

"Sec. 7. The State Board of Education created by this act shall prescribe rules and regulations for the certification of teachers and for the system of examining applicants for teachers certificates and otherwise granting certificates for teaching in the public schools of this State.

"Sec. 8. The Superintendent of Public Instruction shall, subject to the approval of the Board of Education hereby created, invest the permanent school fund in the class of bonds which may be bought with said funds under existing law. And, when the Superintendent of Public Instruction exercises the option given by law for the purchase of bonds, the same shall prevent the sale of said bonds to any other party until said Board of Education, at its next meeting, has had opportunity to either approve or disapprove such purchase. If the purchase is approved, said bonds shall be paid for out of the permanent school fund, as is now provided by law; and, if disapproved, then said bonds shall be released as though the option given the permanent school fund to purchase said bonds had not been exercised.

"Sec. 9. The members of the State Board of Education, created by this act, shall be paid ten dollars per day when in actual attendance upon board meetings, and shall be entitled to actual traveling and other necessary expenses incurred in the discharge of their duties. Each member shall take the constitutional oath of office.

Sec. 10. All laws and parts of laws in conflict with any provision of this act are hereby repealed. If any provision or section of this act is held unconstitutional the same shall not operate to defeat the whole act, but all other parts shall stand and remain in full force and effect.

"Sec. 11. The importance of this legislation and the crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and that this act be in force and take effect from and after its passage, and it is so enacted.

Mr. Wallace offered the following amendment to the amendment:

Amend committee amendment No. 1, page 3, printed amendment, Section 1, line 33, after the word "age," by adding the words "or more."

The amendment was adopted.

Mr. Woodall offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1, page 5, by striking out Section 5, and inserting in lieu thereof the following:

"Section 5. The elected Superintendent of Public Instruction shall act as secretary to the State Board of Education and its executive officer."

Mr. Graves of Williamson moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—50.

Acker.	Martin.
Baker.	Mauritz.
Baldwin.	McCombs.
Beck.	Minor.
Bond.	Montgomery.
Bounds.	Moore.
Bradley.	Morse.
Carpenter.	Negley.
Chastain.	Petsch.
Cox of Limestone.	Pool.
Duvall.	Prendergast.
Graves	Reader.
of Williamson.	Richardson.
Hardy.	Rountree.
Harper.	Savage.
Hogg.	Shaver.
Hubbard.	Shelton.
Jenkins.	Speck.
Johnson	Strong.
of Dimmit.	Thompson.
Johnson of Scurry.	Waddell.
Justiss.	Warwick.
Keeton.	Williams
Keller.	of Sabine.
Kemble.	Williams
Kincaid.	of Travis.
Kinnear.	Woodruff.

Nays—73.

Ackerman.	Ewing.
Adkins.	Eickenroht.
Albritton.	Finn.
Barnett.	Finlay.
Bateman.	Forbes.
Brice.	Fuchs.
Brooks.	Gerron.
Coltrin.	Gilbert.
Conway.	Giles.
Cox of Navarro.	Harding.
DeWolfe.	Harrison.
Enderby.	Heaton.

Hefley.	Pope of Nueces.
Hopkins.	Purl.
Johnson of Smith.	Ray.
Jones.	Renfro.
Kayton.	Rogers.
Kennedy.	Sanders.
King.	Sherrill.
Land.	Shipman.
Lee.	Simmons.
Lemens.	Sinks.
Long of Wichita.	Smith.
Loy.	Snelgrove.
Mankin.	Stephens.
Maynard.	Storey.
McDonald.	Tarwater.
McGill.	Thurmond.
McKean.	Turner.
Mehl.	Van Zandt.
Metcalf.	Wallace.
Mosely.	Walters.
Mullally.	Webb.
Murphy.	Westbrook.
Olsen.	Wiggs.
Palmer.	Woodall.
Pavlica.	

Absent.

Anderson.	O'Neill.
Avis.	Patterson.
Davis.	Pope of Jones.
Dunlap.	Quinn.
Gates.	Tillotson.
Graves of Erath.	Veatch.
Harman.	White.
Holder.	Young.
Long of Houston.	

Absent—Excused.

Cox of Lamar.	Reid.
Hines.	Stevenson.
Hornaday.	Williams
Kenyon.	of Hardin.
Nicholson.	

Question then recurring on the amendment by Mr. Woodall, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—85.

Acker.	Dunlap.
Ackerman.	Enderby.
Adkins.	Ewing.
Albritton.	Eickenroht.
Baker.	Finn.
Barnett.	Finlay.
Bateman.	Forbes.
Bradley.	Fuchs.
Brice.	Gerron.
Brooks.	Gilbert.
Coltrin.	Giles.
Conway.	Harding.
Cox of Lamar.	Harper.
Davis.	Harrison.
DeWolfe.	Heaton.

Hefley.	Ray.
Hopkins.	Renfro.
Hornaday.	Rogers.
Johnson of Smith.	Sanders.
Jones.	Sherrill.
Kayton.	Shipman.
Keller.	Simmons.
Kennedy.	Sinks.
King.	Smith.
Land.	Snelgrove.
Lee.	Speck.
Lemens.	Stephens.
Long of Wichita.	Storey.
Loy.	Tarwater.
Mankin.	Thurmond.
McDonald.	Turner.
McGill.	Van Zandt.
McKean.	Veatch.
Mehl.	Wallace.
Metcalfe.	Walters.
Mosely.	Webb.
Mullally.	Westbrook.
Murphy.	Wiggs.
Olsen.	Williams
Palmer.	of Sabine.
Pavlica.	Williams
Pope of Jones.	of Travis.
Pope of Nueces.	Woodall.
Purl.	Young.

Nays—41.

Baldwin.	Mauritz.
Beck.	Maynard.
Bond.	McCombs.
Bounds.	Minor.
Carpenter.	Montgomery.
Chastain.	Moore.
Cox of Limestone.	Morse.
Duvall.	Negley.
Graves	Petsch.
of Williamson.	Pool.
Hardy.	Prendergast.
Hogg.	Reader.
Jenkins.	Richardson.
Johnson	Rountree.
of Dimmit.	Savage.
Johnson of Scurry.	Shaver.
Justiss.	Shelton.
Keeton.	Strong.
Kemble.	Thompson.
Kincaid.	Waddell.
Kinnear.	Warwick.
Martin.	

Absent.

Anderson.	Long of Houston.
Avis.	O'Neill.
Gates.	Patterson.
Graves of Erath.	Quinn.
Harman.	Tillotson.
Holder.	White.
Hubbard.	Woodruff.

Absent—Excused.

Cox of Navarro.	Kenyon.
Hines.	Nicholson.

Reid.
Stevenson.

Williams
of Hardin.

Mr. Pope of Nueces moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Question—Shall the committee amendment be adopted?

The following proposed amendments to House bill No. 296 were ordered printed in the Journal:

Amend by striking out all above the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act relating to the State Board of Education; providing for the appointment of the members of said board; prescribing their qualifications, terms of service and duties; authorizing them to appoint a State Superintendent of Public Instruction, and upon his recommendation and nomination to set up a State Department of Education to appoint its staff; and, in general, authorizing said board to assume and discharge the duties assigned by law to the State Board of Education and the State Superintendent of Public Instruction; providing for an appropriation to pay the expenses of said board; repealing all laws in conflict with this act; and declaring an emergency."

Committee Amendment No. 3.

No person who has acted as an agent for any author or text book publishing house, or as the attorney for any author or text book publishing house, or who has been an author or associate author of any text book published by any publishing house, or who owns stock in any text book depository or any publishing house, or who has been directly or indirectly concerned in the authorship of any text book or connected with any text book publishing house, shall be eligible to appointment on the State Board of Education; and each member of said State Board of Education shall, in addition to taking the official oath prescribed herein, file with the secretary of the said board an affidavit that he has not been so connected directly or indirectly with the authorship of any text book or with any text book publishing company as prescribed above, and that he will not become so connected or interested while he is a member of the said board.

Committee Amendment No. 4.

Amend House bill No. 296 by changing the words "State Superintendent" to

"State Commissioner of Education" wherever it refers to the person to be appointed.

Amend committee amendment No. 1 of House bill No. 296, page 5, by striking out all of Subdivision E of Section 4 and insert in lieu thereof the following:

"In addition to the other duties prescribed herein, the State Board of Education shall make provision for the purchase and distribution of text books for use in the public schools of Texas in accordance with the provisions of the present law and except as otherwise herein provided. All contracts made by the State Board of Education for the purchase and distribution of text books shall be based upon selections and awards made by the Text Book Commission composed of the chairman of the said State Board of Education, the State Superintendent and seven members appointed by a majority vote of the State Board of Education. The chairman of the State Board of Education and the State Superintendent shall serve as chairman and secretary, respectively, of the said Text Book Commission. The seven appointed members of the Text Book Commission shall possess the qualifications prescribed by the present law for membership in the Texas State Text Book Commission. The term of office of the said seven appointed members shall be for two years or until their successors are duly appointed and qualified, beginning on January 1st of each odd-numbered calendar year. It is expressly provided herein that the said Text Book Commission shall succeed and take the place of the present Texas State Text Book Commission, and shall be guided in the performance of its duties by the provisions of the present law, except as is otherwise expressly provided herein. All duties imposed upon the Governor as chairman of the present State Board of Education and Texas State Text Book Commission in the selection of text books and in making contracts for their purchase and distribution shall devolve upon and be performed by the chairman of the State Board of Education.

HARMAN.

Amend the amendment to Section 5 of House bill No. 296 as follows: "The Superintendent of Public Instruction, as created in this bill and by the amendment, shall be appointed by the Governor and shall serve for a period of two years and until his successor has been qualified."

PETSCH.

Amend the amendment to House bill No. 296 by amending amendment No. 1 on page 3 in line 17 by substituting the word "seven" for the word "nine"; also in line 20 substitute the word "two" for the word "three"; also in line 22 substitute the word "two" for the word "three."

KENNEDY.

HOUSE JOINT RESOLUTION NO. 8 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading,

H. J. R. No. 8, Proposing to amend Article 3 of the Constitution of the State of Texas by adding to Section 48 thereof a provision authorizing the levying of taxes for highway purposes, and by adding to Section 49 of said article a provision enabling the Legislature to provide for the extension of the credit of the State for the purpose of the construction and maintenance of a system of highways and reimbursing outlays and assuming obligations made by counties and defined road districts of the State therefor.

The resolution was read second time and, on motion of Mr. Young, by unanimous consent was laid on the table subject to call.

HOUSE BILL NO. 567 ON ENGROSSMENT.

The Speaker laid before the House, as a special order for this hour, on its passage to engrossment,

H. B. No. 567, A bill to be entitled "An Act providing for the centralization of the Texas prison system; increasing the duties, powers and functions of the Texas Prison Board."

The bill having heretofore been read second time and set as a special order for this hour.

(Mrs. Negley in the chair.)

Mr. Young offered the following amendment to the bill:

Amend House bill No. 567 by striking out Sections 1, 2, 4, 7, 8, 9, 10 and 11, and insert in lieu thereof the following sections, 1, 2, 3, 4, 5 and 6, and renumber Sections 3, 5, 6, 12, 13 and 14 as Sections 7, 8, 9, 10, 11 and 12, respectively:

Section 1. The Texas Prison Board is hereby authorized and directed to provide plans and formulate policies for the concentration of the prison system either on the Derrington or Ramsey farm, and

for the reorganization of the system for its more efficient control and operation, pursuant to the provisions of this act.

Sec. 2. To determine the availability and desirability of a location for the concentration of the prison system on one or the other of said farms mentioned in Section 1 hereof and for the selection from among the said two prison properties the one deemed best adapted to the judicious and necessary reorganization of the system, a locating commission to be composed of the members of the Texas Prison Board is hereby designated.

Sec. 3. The said Prison Board shall have authority to determine the location for the concentration of the prison system as authorized in the preceding section of this act, and shall be authorized to direct the disposition of the prison farm designated in Section 4 hereof not deemed essential to the purpose of concentration and reorganization of the prison system operation as authorized and directed by the provisions of this act. In the disposition of said farm properties known as the Shaw farm, the Eastham farm, the Ferguson farm, the Wynne farm and the Goree farm, the same shall be placed upon the market at such time following the designation of a location for concentration of the system as may be practical and under the conditions named in this act.

Sec. 4. The Prison Board shall determine the time and notify the Commissioner of the General Land Office when any of the prison farms, or any portion thereof, namely, the Shaw farm in Bowie county, Texas; the Eastham farm, in Houston county, Texas; the Ferguson farm in Madison county, Texas; the Wynne farm and Goree farm in Walker county, Texas; may be offered for sale without inconvenience to the prison system. Whereupon the commissioner shall have the land surveyed into sections or other tracts of convenient size, the field notes for which shall be filed in the Land Office and a copy thereof filed in the office of the county surveyor of the county in which said lands or parts thereof may be located. The commissioner may exclude roadways of necessity from all acreage surveys. Said land shall be offered for sale in quantities not less than forty acres and multiples thereof unless there be a tract of acreage greater or less than forty acres and not in multiples thereof, in which event the commissioner shall determine the area to be

sold and offer it accordingly. The commissioner shall adopt rules and regulations necessary for the execution of the purposes of this act, including the division and subdivision of the land, and may provide for roads and ways of ingress and egress by omitting from surveys all needful ways of necessity. It is mandatory that one-half of all mineral rights in and under said lands shall be, and is hereby, reserved to the State. Except as provided in this act, the regulations, times and terms of the sale of the surveyed public free school land and all rights and privileges, pains and penalties, appertaining to the advertisement, sale and purchase thereof and rights acquired and reserved therein, shall apply to, govern and control the sale and purchase of the land included herein as if fully written into this act. The land in the town of Huntsville, in Walker county, Texas, shall be disposed of in such manner as the Legislature may hereafter direct, after the usable equipment and improvements thereon and therein have been removed to the place of concentration of the prison system as provided by this act. All proceeds arising from any sale under this act shall be deposited in the State Treasury to the credit of the general revenue. In the sale of any properties of the prison system, the privilege of removing improvements useful in the construction of buildings for the centralized system, and for the operation of the system shall be reserved.

If the Prison Board shall conclude the additional lands are necessary for the efficient development of the prison system as the same is concentrated as herein directed, the Prison Board shall report such necessity for such additional lands to the Legislature, together with the description of such lands and all other facts of kind, character, quality and location of such lands and their proximity to the concentrated prison system as provided herein, together with the price at which such lands are offered to the State; said report shall be in writing and signed by at least three-fourths of said Prison Board; and no lands shall be purchased by said Prison Board until the Legislature shall direct such purchase and the price and terms thereof by bill regularly passed by the Legislature and approved by the Governor of this State.

Sec. 6. When the Prison Board shall decide that any properties owned by the prison system are no longer needed for the accommodation and employment

of the State prisoners, said Prison Board shall report such decision to sell such land to the Legislature, and if the Legislature shall approve such report the Legislature shall direct such sale as herein provided by a bill regularly passed and approved by the Governor of this State, and such land shall not be sold until the Legislature directs said sale by such bill.

(Speaker in the chair.)

RECESS.

On motion of Mr. Wallace, the House, at 12 o'clock m., took recess to 1:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 1:30 o'clock p. m., and was called to order by the Speaker.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 481, "An Act to levy and collect annually a five-dollar road tax against all able-bodied male citizens of Lee county who are subject to road work under the general laws of this State who are between the ages of twenty-one and forty-five years."

S. B. No. 287, "An Act to amend Articles 6205, 6221 and 6227 of Title 109 of the Revised Civil Statutes of 1925, and to amend Article 6214 of Title 109 of the Revised Civil Statutes of 1925, as amended by Chapter 95 of the General Laws of the Fortieth Legislature, and to add Article 6222a, and declaring an emergency."

S. B. No. 150, "An Act to confirm and validate all patents and awards issued on lands lying across or partly across or abutting on water courses or navigable streams or the beds or abandoned beds thereof, or parts thereof, and to relinquish, quitclaim and grant to the patentees and awardees and their assigns all such lands and minerals therein contained, across or abutting on water courses or navigable streams and also the beds or abandoned beds thereof, and minerals therein contained, where such patents or awards have been issued and outstanding for a period of five years from the date thereof and have not been cancelled or forfeited, without impairing the rights of the general pub-

lic, the State, riparian owners or appropriation owners in the waters of such streams; and providing that with respect to lands sold by the State of Texas expressly reserving title to minerals in the State, such reservation shall not be affected by this act, and that the patentees or awardees and their assigns shall have the same rights, title and interest in the minerals in the beds or abandoned beds of such water courses or navigable streams that they have in the uplands covered by the same patents, and declaring an emergency."

HOUSE BILL NO. 567 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 567, relating to relocating the penitentiary, on its passage to engrossment, with amendment by Mr. Young pending.

Mr. Quinn offered the following amendment to the amendment:

Amend amendment to House bill No. 567 by adding between the words "all mineral" wherever they appear in the bill the words "the oil, gas and other."

The amendment was adopted.

The amendment as amended was then adopted.

Mr. Young offered the following amendments to the bill:

(1)

Amend House bill No. 567, page 4, Section 12, by striking out the words and figures "one million dollars" wherever they occur and insert in lieu thereof in each such place the words and figures "five hundred thousand dollars."

(2)

Amend House bill No. 567, page 2, line 7, by striking out "Darrington farm" and insert in lieu thereof the words "site selected."

The amendments were severally adopted.

Mr. Graves of Williamson offered the following amendment to the bill:

Amend the bill by striking out all above and below the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act relating to the State penitentiary and the State prison system; increasing the duties, powers and functions of the Texas Prison Board; providing for the reorganization of the prison system; making provision for the sale of the prison farms and the centralization of the Texas prison system; providing for

a board for the valuation and sale of the present prison properties, and for a board for the selection of the location for the centralization of the system; providing for power in the State Board of Control to buy supplies, produce and manufactured articles from the State prison system for use by the State; and providing for the establishment of a prison reformatory within the Texas prison system for young, short-term prisoners; making an appropriation to be used in carrying out this act; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. The Texas Prison Board is hereby empowered and directed to formulate policies and plans for the reorganization and centralization of the prison system and for the more efficient control and operation of said system.

The Attorney General, the President pro tempore of the Senate and the Speaker of the House of Representatives shall act in conjunction with the Texas Prison Board in the formulation of said policies and plans for the reorganization and centralization of said prison system. The policies and plans for the reorganization of said system and a site for its centralization shall be determined upon by said Texas Prison Board, the Attorney General, the President pro tempore of the Senate and the Speaker of the House of Representatives at the earliest possible date. In the formulation of such policies and plans and the selection of such site the Prison Board and the other officers named shall be entitled to the assistance of such members of the faculty and other employees of the Agricultural and Mechanical College, the University of Texas and the Texas Technological College as may be called upon and asked for assistance. The actual expenses incurred by any employees or faculty members of either of said institutions in assisting said board shall be paid by the Texas Prison Board out of any funds appropriated for the support of the prison system.

If said board and other officers named shall, upon the above-mentioned investigations, determine that said system can be more economically and practically constructed and operated from the standpoint of the State on some land now owned by the State and that such location is the most desirable from all angles, then said system may be centralized thereon, and such is the legislative desire.

As soon as said policies and plans for the reorganization and centralization of the prison system have been determined upon, and as soon as a site has been selected for the centralization of the prison system, the Prison Board, in conjunction with the Attorney General, the President pro tempore of the Senate and the Speaker of the House of Representatives, shall make a report of said plans and said selection of site to the Governor and cause a copy of said report to be given to the newspapers for publication, and they shall further cause a copy of said report to be mailed to each member of the Texas Legislature.

Sec. 2. In effecting the reorganization and centralization of the prison system, if it is found desirable to sell any part of the present prison lands or other property, or otherwise dispose of the same, then such land or property shall be sold or otherwise disposed of in the manner hereafter provided. The centralization of the prison system shall be accomplished upon properties of a contiguous nature and, if other property is found desirable as a site for such centralized prison system, then the same may be acquired in the manner hereinafter provided.

Sec. 3. If it is found desirable or necessary to sell any of the real property now belonging to the State prison system in order to effect an economical centralization and reorganization of such system, then such property shall be sold in the order determined as best for the State.

All such lands as may be subject to cultivation and farming shall be divided into tracts, in the discretion of the Texas Prison Board, the Attorney General, the President pro tempore of the Senate and the Speaker of the House of Representatives, and sold in such tracts and bodies as may be most advantageous to the interests of the State, in the judgment of the Prison Board, the Attorney General, the President pro tempore of the Senate and the Speaker of the House of Representatives. Any such lands as are not subject to cultivation and farming may be sold as pasture lands in such bodies and tracts as may be determined upon by the officers before named. The Texas Prison Board, acting in conjunction with the Attorney General of the State, the President pro tempore of the State Senate and the Speaker of the House of Representatives then in office, shall divide said lands for placing on the market, classify the respective tracts and place a minimum sale price upon

each such tract. As soon as said lands have been so divided, priced and classified, the Prison Board together with the other officers named, shall present to the Governor of the State a report of said division, pricing and classification, and shall cause a copy of such report to be handed to the newspapers for publication. A copy shall be mailed by said board to each member of the Texas Legislature. The lands as they come upon the market as herein provided shall be sold to farmers in the order of priority of application upon payment of not less than fifteen (15) per cent of the purchase price, with interest at the rate of five (5) per cent per annum, and the payment of one-fifteenth (1-15) part of the remainder of the purchase price each year. All lands so sold shall be upon the conditions that the purchaser will begin improvement for the purpose of occupancy and use for the purpose for which the land was classified within a period of two years. The State shall retain a vendor's lien to protect all deferred payments and shall reserve the right to remove prison buildings and improvements. All deeds to said lands shall be executed and acknowledged by the Board of Prison Directors, the other State officers named and the Governor of the State, and in addition to the vendor's lien each deed shall retain to the State of Texas thirty-one thirty-seconds (31-32) of the mineral rights in the lands conveyed therein; and the further right upon the part of the State to contract for the sale, lease, production and development of its part of said minerals with the right of ingress and egress in exploring for, developing, producing, saving and marketing said minerals, and for the placing of pipe lines, machinery and all other appliances and appurtenances necessary thereto. The State and the purchasers of said land may act jointly in the leasing of the same for the development of the mineral rights therein. In making mineral leases on said land for the development and production of the minerals therein, the same shall be negotiated and handled by the Texas Prison Board. Any funds derived from said leases or from any minerals produced or marketed therefrom shall be deposited in the State Treasury to the credit of the general revenue fund, as other funds required by law to be deposited by the manager of the State Prison Board.

Sec. 4. Sales of the State prison lands shall be made through the office of the Commissioner of the General Land Office and be in accordance with

the procedure provided for other lands of the State except as otherwise provided herein, and all funds derived from such sale, or from interest accruing upon deferred payments, shall be credited to the State prison system land and building account; and all moneys paid into such account shall be available to the Texas Prison Board for the purchase of lands, prison buildings and prison system equipment. Said funds shall be paid out by the State Treasurer upon warrants drawn by the Comptroller against said account, as other expenditures by the Prison Board.

The Prison Board and other officers named shall be authorized, under proper appraisal of sales as herein provided, to effect exchange of prison system lands for other lands useful for prison system purposes and so located as to fulfill the requirements of the centralization of the prison system. Provided, that in the event advantageous exchanges of lands of the prison system may be effected for other lands acceptable for uses of a centralized prison location, the order of sales and the dates for such sales of particular farms named may be suspended upon certification by the members of the Prison Board and by each of the other officers herein named, and the land so designated for exchange may be transferred at any time the Board herein named shall determine and approve; and provided further, that each such exchange of lands shall bear the approval in writing of the board herein named as to relative values.

Sec. 5. In the event sales or exchanges of prison system lands, as herein authorized, shall be effected in advance of the time provided for the final disposition of the different farm tracts, and the acquisition of lands and the progress in the construction of new buildings and accommodations for the State prisoners render the future retention of the farms indicated as next in order of sale unnecessary for the accommodation and employment of State prisoners, the farm lands of the prison system indicated as next in order to be sold shall be immediately placed upon the market under the conditions herein provided. In the event all parts of the several farms named for sale shall not be sold within the period stated, the remaining part of any such farms shall be continuously placed upon the market for sale until all lands offered have been disposed of.

Sec. 6. With the first funds made available and/or from funds derived from the sale of the first lot of lands

placed on the market, the Prison Board, with the Attorney General of the State, the President pro tempore of the Senate and the Speaker of the House of Representatives, shall select and contract for the purchase of a tract of land as advantageously located and as suitable as may be for the establishment of a centralized State prison property. The new prison location shall be such that additional lands adjoining of suitable character may be acquired from time to time if and when acquired. Title to all lands purchased for the State prison system shall be approved by the Attorney General, and title to all such lands shall be taken in name of and to the State of Texas. In the acquisition of lands for the use of the prison system, the Prison Board is directed to arrange such conditions of payment as will permit of the payment therefor from (1) the proceeds of the sale of lands of the prison system; (2) and/or by the exchange of prison lands therefor; (3) and/or with such funds as may be provided therefor and made available by the Legislature.

Sec. 7. As soon as location for the centralization of said prison system is determined upon, the Board of Prison Directors and the other officers herein named shall submit said location in a report to the Governor of the State and cause a copy of the same to be handed to the press for publication; one copy of said report shall also be mailed to each member of the Texas Legislature.

Semi-annually as said lands are sold and other property acquired for the centralization of the prison system, the Board of Prison Directors, together with the other officers named, shall make a report to the Governor of the property sold and purchased; a copy of said report shall be handed to the newspapers for publication, and one copy sent to each member of the Texas Legislature.

It is the legislative will that if at any time during the progress of reorganization and centralization of the system as many as thirty (30) per cent of the members elected to both the Senate and House of Representatives shall petition the Governor to call a special session for further legislation on prison matters, then the Governor shall, within thirty days from the receipt of such petition, convene the Legislature in extra session.

Sec. 8. Other lands and properties of the State prison system may be sold by the board at such times and in such manner as in the judgment of the board the progress of centralization of the prison system shall justify and upon

such terms and conditions as may appear most advisable. Provided, the land and prison buildings in Huntsville, Walker county, if useful to the Sam Houston Teachers College, located at Huntsville, for conversion into school properties, shall be transferred by the Prison Board to that institution for its uses.

Sec. 9. The Texas Prison Board, in the reorganization of the prison system, shall undertake, in the manner and to the extent experience and available funds suggest and permit, to provide for the utilization of prison labor in varying useful employments, and particularly in those directions which are calculated to produce food supplies and necessities for all inmates of the State prison and supplies and necessities for inmates of the eleemosynary institutions of the State.

Sec. 10. The Board of Control is hereby authorized to make contracts with the State Prison Board for the purchase of supplies, equipment and materials for use by other State institutions, including food, supplies, clothing, shoes, metal utensils and appliances, furniture and fixtures, and any and all other supplies or agricultural or manufactured products, binding, rock crushing or other labor for use of the State in any of its departments, commissions, boards, offices or eleemosynary or educational institutions, including any and all supplies, equipment, material or labor purchased or used by or for the State, under the direction of the Board of Control. And the State Highway Department is authorized to contract with the State Prison Board for the manufacture, sale and delivery to it of cement, other materials and labor for use in the construction and maintenance of State highways and highway appurtenances.

Sec. 11. The Texas Prison Board shall, as a part of the reorganized prison system, establish a prison reformatory, and shall provide for its control and operation under necessary regulations formulated in pursuance of the provisions of this act and of the State prison code.

Sec. 12. Any prisoner sentenced to the State prison who is not more than twenty-four years of age on the date of his registration at the State prison and who is serving under conviction for a first offense for a period not exceeding five years, or who may have been sentenced under the indeterminate sentence law, shall be eligible to be placed in the State prison reformatory. Provided, that in the discretion of the Prison

Board one convicted of a second offense may be placed in such reformatory.

Sec. 13. The Prison Board shall provide such buildings and equipment of the prison system for such prison reformatory purposes as may be deemed necessary, and shall provide from funds of the State prison system, or from funds appropriated by the State for the purpose, for the administration and operation of the prison reformatory; and shall provide for teaching illiterates to read and write; shall provide for reasonable instruction in moral standards of living, and responsibilities of citizenship, and shall provide as far as found practicable for giving to each of such white prisoners an elementary training in some trade or occupation or form of employment calculated to enable the person receiving it to successfully maintain himself after the expiration of his term of service; and to this end may establish such manufacturing and other enterprises as shall be found practical and useful to the purpose. And the board shall provide a unit of the prison farm system for the segregation and employment of the negro and Mexican prisoners under the age of twenty-four years.

Sec. 14. The same credits allowed on the term of service of other State prisoners under the provisions of the prison code shall be recognized in computing the term of service of those placed in the reformatory. And the Prison Board shall employ a superintendent of the prison reformatory with qualifications of training and experience for the duties of directing the operation and immediate supervision of the said reformatory, and shall select and employ teachers and technical instructors and attendants as may be necessary and provide for their payment from prison revenues, or from funds provided for the purpose.

Sec. 15. The Texas Prison Board shall use all reasonable diligence in providing for the establishment of a service of assisting those State prisoners released from the prison reformatory with satisfactory records of discipline and intelligent labor in securing forms of employment adapted to their training and abilities, and make reasonably diligent effort to encourage such former prisoners to retain regular employment and conduct themselves properly and be self-supporting and law-abiding citizens.

Sec. 16. The sum of five hundred thousand (\$500,000) dollars is hereby appropriated for the first fiscal year of this biennium, beginning September 1, 1929, and ending August 31, 1930,

and five hundred thousand (\$500,000) dollars is hereby appropriated for the second fiscal year of this biennium, beginning September 1, 1930, and ending August 31, 1931, to be made available for the purpose of purchase of lands, building materials and equipment and other expenditures necessary in the construction of buildings and centralization of the prison system on the site of the new prison property. Such funds shall be expended under the direction of the Prison Board and be paid out as are other expenditures by the board.

Sec. 17. All laws or parts of laws in conflict herewith are hereby repealed; and if any provision of this act shall be held ineffective, such finding shall not affect other provisions.

(Pending the reading of the amendment. Messrs. Keller, Kennedy and Woodall occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Thompson moved the previous question, and the motion was not seconded.

Mr. Quinn offered the following amendment to the amendment:

Amend the amendment to House bill No. 567 by adding between the word "the" and the word "mineral" the words "oil, gas and other."

The amendment was adopted.

Mr. Thompson moved a call of the House for the purpose of maintaining a quorum until House bill No. 567 is disposed of, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Thompson, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Question recurring on the substitute amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—57.

Baker.
Baldwin.
Barnett.

Bateman.
Beck.
Bradley.

Carpenter.	Montgomery.
Conway.	Moore.
Cox of Limestone.	Morse.
Davis.	Negley.
Duvall.	O'Neill.
Ewing.	Patterson.
Finn.	Petsch.
Forbes.	Pool.
Gilbert.	Pope of Jones.
Graves	Purl.
of Williamson.	Quinn.
Harper.	Reader.
Harrison.	Savage.
Hogg.	Shaver.
Hubbard.	Shelton.
Johnson	Simmons.
of Dimmit.	Smith.
Johnson of Smith.	Stevenson.
Justiss.	Thompson.
Keller.	Van Zandt.
Kemble.	Waddell.
Kincaid.	Wallace.
Lemens.	Warwick.
Mankin.	Westbrook.
Martin.	Williams
Mauritz.	of Travis.
McCombs.	Woodruff.
Metcalfe.	

Nays—71.

Ackerman.	Loy.
Adkins.	Maynard.
Albritton.	McDonald.
Anderson.	McGill.
Avis.	Mehl.
Bond.	Minor.
Bounds.	Mosely.
Brice.	Mullally.
Brooks.	Murphy.
Chastain.	Olsen.
Coltrin.	Palmer.
Cox of Navarro.	Pavlica.
DeWolfe.	Pope of Nueces.
Dunlap.	Ray.
Enderby.	Renfro.
Eickenroht.	Richardson.
Finlay.	Rogers.
Gerron.	Sanders.
Giles.	Sherrill.
Graves of Erath.	Shipman.
Hardy.	Sinks.
Harman.	Snelgrove.
Heaton.	Stephens.
Hefley.	Storey.
Hopkins.	Strong.
Jenkins.	Tarwater.
Johnson of Scurry.	Turner.
Jones.	Veatch.
Keeton.	Walters.
Kennedy.	Webb.
King.	White.
Kinnear.	Wiggs.
Land.	Williams
Lee.	of Sabine.
Long of Houston.	Woodall.
Long of Wichita.	Young.

Absent.

Acker.	McKean.
Gates.	Prendergast.
Harding.	Rountree.
Holder.	Speck.
Hornaday.	Thurmond.
Kayton.	Tillotson.

Absent—Excused.

Cox of Lamar.	Nicholson.
Fuchs.	Reid.
Hines.	Williams
Kenyon.	of Hardin.

Mr. Pope of Nueces moved to reconsider the vote by which the amendment was lost, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Young offered the following amendment to the bill:

Amend caption of House bill No. 567, page 1, line 10, by striking out "Darlington farm" and insert in lieu thereof "site selected"; and striking out in line 18 beginning with the word "provided" down to and including the word "prisoners" in line 20.

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 567 was then passed to engrossment by the following vote:

Yeas—89.

Ackerman.	Hopkins.
Adkins.	Jenkins.
Albritton.	Johnson of Smith.
Anderson.	Johnson of Scurry.
Avis.	Justiss.
Baker.	Keeton.
Bateman.	Keller.
Brice.	Kemble.
Brooks.	Kennedy.
Chastain.	Kincaid.
Coltrin.	King.
Conway.	Kinnear.
DeWolfe.	Land.
Enderby.	Lee.
Ewing.	Lemens.
Eickenroht.	Long of Houston.
Finn.	Long of Wichita.
Finlay.	Loy.
Forbes.	Maynard.
Gerron.	McCombs.
Giles.	McDonald.
Graves of Erath.	McGill.
Hardy.	McKean.
Harman.	Mehl.
Harper.	Metcalfe.
Heaton.	Minor.
Hefley.	Mosely.

Mullally.	Snelgrove.
Murphy.	Stephens.
Olsen.	Storey.
Palmer.	Strong.
Patterson.	Tarwater.
Pavlica.	Turner.
Pope of Jones.	Van Zandt.
Pope of Nueces.	Veatch.
Quinn.	Walters.
Ray.	Warwick.
Reader.	Webb.
Renfro.	Wiggs.
Richardson.	Williams
Rogers.	of Sabine.
Sanders.	Williams
Savage.	of Travis.
Sherrill.	Woodall.
Shipman.	Young.
Sinks.	

Nays—37.

Baldwin.	Martin.
Barnett.	Mauritz.
Beck.	Montgomery.
Bond.	Moore.
Bounds.	Morse.
Bradley.	Negley.
Carpenter.	O'Neill.
Cox of Navarro.	Petsch.
Cox of Limestone.	Purl.
Davis.	Shaver.
Duvall.	Shelton.
Gilbert.	Simmons.
Graves	Speck.
of Williamson.	Stevenson.
Harrison.	Thompson.
Hogg.	Waddell.
Hubbard.	Wallace.
Johnson	Westbrook.
of Dimmit.	White.
Mankin.	

Absent.

Acker.	Pool.
Dunlap.	Prendergast.
Gates.	Rountree.
Harding.	Smith.
Holder.	Thurmond.
Hornaday.	Tillotson.
Jones.	Woodruff.
Kayton.	

Absent—Excused.

Cox of Lamar.	Nicholson.
Fuchs.	Reid.
Hines.	Williams
Kenyon.	of Hardin.

Mr. Pope of Nueces moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Pope of Jones,

House bill No. 673 was ordered not printed.

On motion of Mr. Tarwater, House bill No. 685 was ordered not printed.

On motion of Mr. Dunlap, Senate bill No. 210 was ordered not printed.

On motion of Mr. Snelgrove, House bill No. 63 was ordered not printed.

On motion of Mr. Brice, House bill No. 649 was ordered not printed.

On motion of Mr. Harman, House bill No. 672 was ordered not printed.

COMMITTEE SUBSTITUTES ORDERED PRINTED.

On motion of Mr. Pope of Jones, the committee substitute to House bill No. 547 was ordered printed instead of the original bill.

On motion of Mr. Gilbert, the committee substitute to House bill No. 4 was ordered printed instead of the original bill.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 19, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 29, Providing for the appointment of a joint committee from the House and Senate to make arrangements for the disposition of the original copy of the Declaration of Independence.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

CONGRATULATING MRS. NEGLEY.

On motion of Mr. Kayton and Mr. Anderson, the following communication was ordered printed in the Journal:

House of Representatives,
State of Texas.

Austin, Texas, February 19, 1929.

Mrs. Laura Negley:

We, your colleagues, congratulate you on the able manner in which you presided over the House this morning.

ANDERSON,
KAYTON,
MEHL,
READER.

ADJOURNMENT.

On motion of Mr. Purl, the House, at 7 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Agriculture: House bills Nos. 645, 307 and 662.

Judiciary: Senate bill No. 210; House bills Nos. 179 and 63.

Revenue and Taxation: House bill No. 547.

Highways and Motor Traffic: Senate bills Nos. 270, 266, 306, 109 and 279; House bills Nos. 695, 641, 649, 681, 670, 696, 672, 685, 699, 642, 583, 490 and 592.

The following committees have today filed adverse reports on bills, as follows:

Judiciary: House bills Nos. 158, 76, 37, 38, 98, 476 and 134.

Revenue and Taxation: House bill No. 268.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 19, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 461, A bill to be entitled "An Act to prohibit the building, construction, extension, operation or maintenance of any pipe line leading into the waters of the Gulf of Mexico, which pipe line is used or designed to be used for transporting, handling, loading, unloading or discharging oil, gas or any derivative of oil or gas, or any other product or commodity susceptible of being transported into tanks, ships, vessels, barges or any water craft or any agency for loading water craft, and providing a penalty and imposing upon the Attorney General of Texas the duty of bringing timely suit to prevent and restrain the violation of this law, and fixing the jurisdiction and venue of such actions, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 19, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 436, A bill to be entitled "An Act amending Article 287 of the Penal Code of the State of Texas of 1925, as amended by Chapter 139 of the General Laws of the Regular Session of the Thirty-ninth Legislature, so as to repeal that portion of the State law prohibiting the operation of moving picture shows and theatres on Sunday in this State, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

THIRTIETH DAY.

(Wednesday, February 20, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Mr. McGill.

The roll was called and the following members were present:

Mr. Speaker.	Harrison.
Acker.	Heaton.
Ackerman.	Hefley.
Adkins.	Hogg.
Albritton.	Holder.
Anderson.	Hopkins.
Baker.	Hornaday.
Baldwin.	Hubbard.
Barnett.	Jenkins.
Bateman.	Johnson
Bond.	of Dimmit.
Bounds.	Johnson of Smith.
Bradley.	Johnson of Scurry.
Brice.	Jones.
Brooks.	Justiss.
Carpenter.	Kayton.
Chastain.	Keeton.
Coltrin.	Keller.
Conway.	Kemble.
Cox of Navarro.	Kennedy.
Cox of Limestone.	Kincaid.
Davis.	King.
DeWolfe.	Kinnear.
Dunlap.	Land.
Duvall.	Lee.
Enderby.	Lemens.
Ewing.	Long of Houston.
Eickenroht.	Long of Wichita.
Finn.	Loy.
Finlay.	Mankin.
Forbes.	Martin.
Gerron.	Mauritz.
Gilbert.	Maynard.
Giles.	McCombs.
Graves	McDonald.
of Williamson.	McGill.
Graves of Erath.	McKean.
Hardy.	Mehl.
Harding.	Metcalfe.
Harman.	Minor.
Harper.	Montgomery.